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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

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7 SHALAMON DUKE,  
8 Plaintiff,

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v.

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CITY COLLEGE OF SAN FRANCISCO,  
et al.,

11

Defendants.

12 Case No. 19-cv-6327-PJH

13 **ORDER RE DECLARATION IN  
SUPPORT OF MOTION TO SEAL**

14 Re: Dkt. No. 106

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On May 7, 2021, defendant filed a motion to seal the entirety of plaintiff's journal. See Dkt. 103. On May 17, 2021, the court entered an order granting defendant's motion for summary judgment, and in the order, it noted that plaintiff had not yet filed a supporting declaration explaining why the motion to seal should be granted, as required by Civil Local Rule 79-5(e)(1). See Dkt. 104 at 14. The court gave plaintiff's counsel until May 24, 2021 to file the supporting declaration. Id.

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On May 23, 2021, plaintiff's counsel filed a supporting declaration. See Dkt. 106. However, rather than providing reasons why the journal should be sealed, the declaration relied on the conclusory statement that "[i]nsofar as each page of the document in question is designated 'confidential,' it is properly sealable." Dkt. 106, ¶ 6.

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Civil Local Rule 79-5(d)(1)(A) expressly states that "[r]eference to a stipulation or protective order that allows a party to designate certain documents as confidential is not sufficient to establish that a document, or portions thereof, are sealable." Rather, the supporting declaration must provide substantive reasons as to why the document should be sealed.

1 The court gives plaintiff's counsel one final opportunity to demonstrate why  
2 plaintiff's journal should be sealed. Plaintiff's counsel shall have until **Tuesday, June 1,**  
3 **2021**, to file a revised supporting declaration in accordance with Civil Local Rule 79-5  
4 providing reasons why plaintiff's journal should be sealed. If sufficient reasons are not  
5 provided, the motion to seal will be denied and the journal will be filed on the public  
6 docket.

**IT IS SO ORDERED.**

8 | Dated: May 25, 2021

/s/ Phyllis J. Hamilton  
PHYLLIS J. HAMILTON  
United States District Judge